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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/753,686	01/04/2001	Adrian E. Colley	6502.0267	1658

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FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER  
LLP  
901 NEW YORK AVENUE, NW  
WASHINGTON, DC 20001-4413

EXAMINER

NGUYEN, VAN H

ART UNIT PAPER NUMBER

2194

DATE MAILED: 02/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/753,686	COLLEY ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	VAN H. NGUYEN	2194	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 October 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9, 15, 17 and 19-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9, 15, 17 and 19-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.


**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 7/15/05&10/24/05.

  
**WILLIAM THOMSON**  
**SUPERVISORY PATENT EXAMINER**

4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

1. This Office Action is in response to the amendment filed October 24, 2005. Claims 1-9, 15, 17, and 19-22 are pending in this application. Claims 1, 5, 7, 15, and 17 have been amended; claims 10-14, 16, and 18 have been cancelled; and new claims 19-22 have been added.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 19 and 21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The following phrases lack antecedent basis:

- (i) the creating step (claim 19, line 1); and
- (ii) the creating step (claim 21, line 1).

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-9, 15, 17, and 19-22 are rejected under 35 U.S.C. 102(b) as being anticipated by **Pelegri-Llopart et al.** (US 5, 999, 988). The Pelegri-Llopart reference was provided by Applicant in the IDS filed on September 29, 2004.

As to claim 5, Pelegri-Llopart teaches the invention as claimed including a method in a distributed system for passing a first object and a second object to a recipient, wherein the first object and the second object are instances of a class (see the Abstract and col. 4, lines 16-55), comprising the steps of:

passing, by a sender (the sending machine), the first object to the recipient (the receiving machine) with a descriptor (an interface descriptor) of the class and a handle (an object handle) corresponding to the descriptor (e.g., see the object handle and interface descriptor discussions, beginning at col.8, line 47); and

passing, by the sender, the second object to the recipient with the handle, whereupon receipt by the recipient, the recipient uses the handle received with the second object to access

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the descriptor of the class received with the first object descriptor (e.g., see the object handle and interface descriptor discussions, beginning at col.8, line 47).

As to claim 6, Pelegri-Llopart teaches assigning the handle to the descriptor of the class (e.g., see col.8, lines 56-62).

As to claim 21, Pelegri-Llopart teaches wherein the creating step further comprises: creating a serialization context including the handle, the descriptor, and an indicator of whether the serialization context has been sent to the sender (e.g., see the object handle and interface descriptor discussions, beginning at col.9, line 65).

As to claim 22, Pelegri-Llopart teaches determining whether the class descriptor is accessible to the recipient (e.g., see the interface descriptor discussion, beginning at col.9, line 53).

As to claim 1, the rejection of claim 5 above is incorporated herein in full. Additionally, Pelegri-Llopart further teaches storing the handle and the descriptor received from the sender with the first object by the recipient (e.g., see figs. 18-19 and the accompanying text beginning at col. 13, line 12).

As to claim 2, Pelegri-Llopart teaches assigning, by the sender, the handle to the descriptor of the class (e.g., see col.8, lines 56-62).

As to claim 3, Pelegri-Llopart teaches assigning, by the recipient, the handle to the descriptor of the class (e.g., see fig.15 and the associated text). As to claim 4, Pelegri-Llopart teaches using the descriptor by the recipient to interpret the first object; and using the descriptor by the recipient to interpret the second object (e.g., see the interface descriptor discussion, beginning at col.9, line 53).

As to claims 19 and 20, refer to claims 21 and 22 above, respectively, for rejection.

As to claim 7, note the discussion of claim 1 above for rejection.

As to claims 8 and 9, refer to claims 3 and 4 above, respectively, for rejection.

As to claim 15, note the rejection of claim 1 above. Claim 15 is the same as claim 1, except claim 15 is a system claim and claim 1 is a method claim.

As to claim 17 note the rejection of claim 1 above. Claim 17 is the same as claim 1, except claim 17 is a computer-readable medium claim and claim 1 is a method claim.

### ***Response to Arguments***

4. Applicant's arguments with respect to claims 1-9, 15, 17, and 19-22 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

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will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

### ***Contact Information***

6. Any inquiry or a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: (571) 272-2100.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to VAN H. NGUYEN whose telephone number is (571) 272-3765. The examiner can normally be reached on Monday-Thursday from 8:30AM - 6:00PM. The examiner can also be reached on alternative Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM THOMSON can be reached at (571) 272-3718.

The fax phone number for the organization where this application or proceeding is assigned is **(571) 273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**Any response to this action should be mailed to:**

Commissioner for patents

P O Box 1450

Alexandria, VA 22313-1450

Van H. Nguyen

  
WILLIAM THOMSON  
SUPERVISORY PATENT EXAMINER